

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Shawn M. Wicas,

Case No. 3:13 cv 1571

Plaintiff

v.

ORDER AND  
JUDGMENT ENTRY

Commissioner of Social Security,

Defendant

Before the Court is the Report and Recommendation of the Magistrate Judge, filed on July 16, 2014 (Doc. No. 19), in the above-entitled action. Under the relevant statute:

Within fourteen (14) days after being served a copy of these proposed Findings and Recommendation, any party who wishes to object must file and serve written objections or further appeal is waived.

*United States v. Campbell*, 261 F.3d 628, 631-32 (6th Cir. 2001) (citing *Thomas v. Arn*, 728 F.2d 813 (6<sup>th</sup> Cir. 1984), *aff'd* 474 U.S. 140 (1985)) ; *see also* 28 U.S.C.A. § 636(b)(1). In this case, the fourteen day period has elapsed and despite being given additional time to file objections (Doc. No. 21), Plaintiff failed to file objections by August 19, 2014.

The failure to file written objections to a magistrate judge's report and recommendation constitutes a waiver of a determination by the district court of an issue covered in the report. *United States v. Droganes*, 728 F.3d 580, 586 (6<sup>th</sup> Cir. 2013) (citations omitted).

Following review of the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation (Doc. No. 19) in its entirety as the Order of the Court. The ALJ's

decision that Plaintiff was not under a disability is supported by substantial evidence. Accordingly, the decision of the Commissioner is affirmed and Plaintiff's case is dismissed with prejudice.

So Ordered.

s/ Jeffrey J. Helmick  
United States District Judge